

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK (WHITE PLAINS)**

UNITED STATES OF AMERICA, §  
§  
Plaintiff, §  
§  
v. § CASE NO. 7:12-cr-00804-VB-1  
§  
HAMID REZA HASHEMI §  
§  
Defendant. §

**MOTION FOR EXTENSION OF TIME TO FILE A NOTICE OF APPEAL**

TO THE HONORABLE VINCENT L. BRICCETTI, UNITED STATES DISTRICT JUDGE:

HAMID REZA HASHEMI, by and through undersigned counsel, respectfully submits this Motion for Extension of Time to File A Notice of Appeal. Specifically, the defense request that pursuant to Fed. R. App. P. 4(b)(4) this Court extend the deadline to file such a notice by an additional ten (10) days, until December 13, 2013. The additional time will afford undersigned counsel, who are located out-of-state, the opportunity to more fully inform Mr. Hashemi of his right to appeal and confirm whether he actually wants to exercise that right.

In accordance with this Court's Individual Rules of Practice, Rule F(i)-(v), the undersigned state the following:

1. The original due date of the notice of appeal is December 3, 2013. On November 19, 2013 this Court entered its judgment against Mr. Hashemi. In

accordance with Fed. R. App. P. 4(b)(1)(A) Mr. Hashemi's Notice of Appeal must be filed no later than fourteen (14) days after the entry of the sentence. This Court can extend this deadline by up to 30 days pursuant to Fed. R. App. P. 4(b)(4). The undersigned request an extension of 10 days until December 13, 2013.

2. This is Mr. Hashemi's first request for an extension in this matter.
3. Mr. Hashemi has made no prior requests for extensions in this matter.
4. The instant request is made because undersigned counsel has not yet had the opportunity to meaningfully advise Mr. Hashemi of his right to appeal. The additional time will also give Mr. Hashemi sufficient time to consider whether he wants to actually exercise his right to appeal and undertake the expenses associated with filing an appeal.

Additionally, undersigned counsel are located in Washington, DC and have been unable to visit Mr. Hashemi at Westchester County Correctional since his sentencing on November 15, 2013. Two weeks ago the undersigned were handling a sentencing in another federal criminal matter in the District of Oregon. And last week's Thanksgiving holiday made travel to Westchester County, New York unreasonably and prohibitively expensive.

5. On December 2, 2013 the Government informed the undersigned that it consents to this ten (10) day extension.

Date: December 2, 2013

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Motion For Extension Of Time To File A Notice of Appeal was filed on December 2, 2013 via ECF.

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